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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
10

11 JUSTIN NEWMAN,
12 Plaintiff,
13 vs.

14 COUNTY OF LOS ANGELES, LOS
15 ANGELES COUNTY SHERIFF'S
16 DEPARTMENT, SHERIFF LEE BACA,
17 DEPUTY JOHN DOE ROMERO,
18 DEPUTY JOHN DOE RODRIGUEZ,
19 DEPUTY JOHN DOE MARTINEZ, and
20 DOES 4 through 10, inclusive,
21 Defendants.

CASE NO.: CV06-2748 GW(SHx)
Assigned to Judge George H. Wu
[Case Filed 5/4/06]

**DEFENDANTS' JUDGMENT
FOLLOWING JURY VERDICT**

Trial: January 8, 2008

22 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

23 The above-entitled action came on regularly for trial on January 8, 2008, at
24 9:00 a.m., in Courtroom "10" of the United States District Court, Central District,
25 Western Division, with The Honorable George H. Wu, presiding. Plaintiff JUSTIN
26 NEWMAN was represented by and through his attorneys of record, Anne
27 Richardson, Esq. and Sanjukta Paul, Esq. of Hadsell & Stormer, Inc. and Joshua
28 Piovia-Scott, Esq. of The Law Offices of Randy Renick. Defendants COUNTY OF
LOS ANGELES, LOS ANGELES COUNTY SHERIFF'S DEPARTMENT,
DEPUTY MARK ROMERO, and DEPUTY JUAN RODRIGUEZ were represented

1 by and through their attorneys of record, Thomas C. Hurrell, Esq. and Rittu Kumar,
2 Esq., of Hurrell Cantrall, LLP.

3 A jury of 8 persons was regularly impaneled and sworn. Witnesses were
4 sworn and testified. After hearing the evidence and arguments of counsel, the jury
5 was instructed by the Court and the cause was submitted to the jury with directions
6 to return a Special Verdict as to the claims against defendants DEPUTY MARK
7 ROMERO and DEPUTY JUAN RODRIGUEZ. The Court advised the jury that it
8 would determine the liability of defendants COUNTY OF LOS ANGELES and LOS
9 ANGELES COUNTY SHERIFF'S DEPARTMENT, if any, based on their findings
10 of liability, if any, against defendants DEPUTY MARK ROMERO and/or DEPUTY
11 JUAN RODRIGUEZ. The jury deliberated and thereafter returned to Court on
12 January 16, 2008, with a 8-0 verdict in favor of defendants DEPUTY MARK
13 ROMERO and DEPUTY JUAN RODRIGUEZ.

14 Specifically, the jury found in favor of defendants DEPUTY MARK
15 ROMERO and DEPUTY JUAN RODRIGUEZ on the special verdict with respect to
16 the following questions submitted:

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18 EXCESSIVE FORCE CLAIM

19 Did Deputy Mark Romero and/or Deputy Juan Rodriguez use excessive force
20 against plaintiff Justin Newman in violation of his 14th Amendment constitutional
21 rights pursuant to 42 U.S.C. §1983?

22 Please answer separately as to each individual defendant:

23 a. Deputy Mark Romero

24 YES _____ NO X _____

25 b. Deputy Juan Rodriguez

26 YES _____ NO X _____

1 BATTERY CLAIM

2 Did Deputy Mark Romero and/or Deputy Juan Rodriguez batter Justin
3 Newman by using unreasonable force in regards to the March 7, 2005 incident?

4
5 Please answer separately as to each individual defendant:

6 a. Deputy Mark Romero

7 YES _____ NO X

8 b. Deputy Juan Rodriguez

9 YES _____ NO X

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11 The jury did not reach a finding as to the Banes Act claim for violation of
12 California Civil Code section 52.1 against DEPUTY MARK ROMERO and/or
13 DEPUTY JUAN RODRIGUEZ, given its findings in favor of DEPUTY MARK
14 ROMERO and DEPUTY JUAN RODRIGUEZ on plaintiff JUSTIN NEWMAN's
15 excessive force claim.

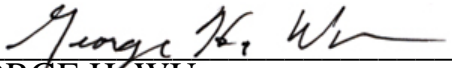
16 In addition, given that the jury did not reach a finding as to the Banes Act
17 claim and found in favor of defendants DEPUTY MARK ROMERO and DEPUTY
18 JUAN RODRIGUEZ on plaintiff JUSTIN NEWMAN's battery claim, the Court
19 hereby finds defendants COUNTY OF LOS ANGELES and LOS ANGELES
20 COUNTY SHERIFF'S DEPARTMENT not liable to plaintiff JUSTIN NEWMAN
21 for his battery claim and does not reach a finding as to defendants COUNTY OF
22 LOS ANGELES and LOS ANGELES COUNTY SHERIFF'S DEPARTMENT's
23 liability for plaintiff JUSTIN NEWMAN's Banes Act claim.

24 It appearing by reason of said verdict that defendants COUNTY OF LOS
25 ANGELES, LOS ANGELES COUNTY SHERIFF'S DEPARTMENT, DEPUTY
26 MARK ROMERO, and DEPUTY JUAN RODRIGUEZ are entitled to judgment
27 against plaintiff JUSTIN NEWMAN,

28 IT IS ORDERED, ADJUDGED AND DECREED that plaintiff JUSTIN

1 NEWMAN shall take nothing from defendants COUNTY OF LOS ANGELES, LOS
2 ANGELES COUNTY SHERIFF'S DEPARTMENT, DEPUTY MARK ROMERO,
3 and DEPUTY JUAN RODRIGUEZ, and that costs are awarded to defendants as
4 determined by the cost bill to be submitted by defendants.

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7 DATED: February 25, 2008



GEORGE H. WU
JUDGE OF THE UNITED STATES
DISTRICT COURT